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UNCLAS DUBLIN 000222

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JUSTICE FOR CRM/AFMLS

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SUBJECT: TERRORISM FINANCE - IDENTIFYING DESIGNATION
AUTHORITIES IN IRELAND

REF: A. STATE 28352

[1](#)B. 04 DUBLIN 01367

[1](#)1. Summary: Per reftel's request on Ireland's designation mechanisms and authorities, Ireland's authority in combating terrorism financing rests with the Departments of Foreign Affairs, Justice and Finance. Under the auspices of Finance, the Central Bank of Ireland plays a key role in monitoring the freezing of assets, but the individual banks bear most of the burden of complying with UN and/or EU designations. End Summary.

Designation Authorities and Mechanisms

[1](#)2. The competent authorities in combating terrorism financing in Ireland are the Central Bank of Ireland, under the auspices of the Department of Finance (DOF), and the Departments of Justice (DOJ) and Foreign Affairs (DFA). In regards to transnational terrorist assets, Ireland currently can only freeze bank accounts of groups designated by the UN 1267/1373 Sanctions Committees or the EU Clearinghouse, but shortly will pass new legislation, which will give it direct authority to freeze assets (see para 3). EU designation has immediate legal effect in Ireland, but may take up to two weeks for compliance.

--The Department of Foreign Affairs is responsible for transmitting the 1267 and 1373 designations of the UN Security Council, as well as the EU Clearinghouse designees to the Central Bank of Ireland and the Departments of Finance and Justice. DFA representatives also attend EU Clearinghouse meetings to represent the GOI in voting.

--The Department of Finance/Central Bank notify individual banks to be on the alert for suspicious transactions, accounts, and assets. The DOF issues legal penalties to the individual banks for not complying with UN Resolutions and any bank found in violation may be referred to the office of the Director of Public Prosecutions. The Central Bank's main role is that of monitoring the freezing of assets and ensuring requisite seizures take place.

--The real onus is on the individual banks. Under penalty of law, banks must immediately freeze assets of designees and then report these seizures to the Central Bank.

--The Department of Justice may request surveillance and investigation of individuals designated by the Sanctions Committees or Clearinghouse.

Pending Legislation - Criminal Justice and Terrorist Offenses Bill

[1](#)3. When the Criminal Justice and Terrorist Offenses Bill of 2002 is passed, it will give the GOI the direct authority to freeze assets of suspected terrorist and terrorism finance groups. Current legislation stipulates freezing only when assets are the proceeds of a crime. The new law will extend to cover suspicions of assets that will be used to commit a future crime or terrorist act. The legislation has been delayed for two years because it contains three distinct parts - one dealing with terrorism financing, one dealing with ratifying language for an EU terrorist directive, and one dealing with several other UN terrorism conventions. The Bill recently was amended to include new data retention language and is currently passing from the Upper House of Parliament back to the Lower House for a final review. It will then proceed to the desk of the President, who is expected to sign it into law. Once signed into law, the GOI will begin procedures to adopt the four remaining UN Conventions/Protocols on terrorism.

KENNY